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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.  
MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,  
*et al.*,

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:  
22CV021840]

**PROVISIONAL STIPULATION OF  
DISMISSAL WITH PREJUDICE:  
CLARK RELIANCE CORPORATION,  
INDIVIDUALLY AND AS  
SUCCESSOR-IN-INTEREST TO  
JERGUSON GAGE AND VALVE  
COMPANY ; ORDER**

Courtroom: 02, 4<sup>th</sup> Floor

District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022

Removed to NDCA: December 21, 2022

Trial Date: September 9, 2024.

PROVISIONAL STIPULATION OF DISMISSAL WITH PREJUDICE: CLARK RELIANCE CORPORATION,  
INDIVIDUALLY AND AS SUCCESSOR-IN-INTEREST TO JERGUSON GAGE AND VALVE COMPANY  
[Case No. 4:22-cv-09058-HSG]

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that, pursuant to Federal Rule of Civil Procedure Section  
3 41(a)(1)(A)(i)(ii), Plaintiffs Michael R. Marcus and Victoria L. Marcus ("Plaintiffs") and  
4 CLARK RELIANCE CORPORATION, INDIVIDUALLY AND AS SUCCESSOR-IN-  
5 INTEREST TO JERGUSON GAGE AND VALVE COMPANY ("Defendant") hereby stipulate  
6 as follows:

7 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and Loss  
8 of Consortium – Asbestos in the Superior Court of the State of California, Couty of Alameda  
9 Case No. 22CV021840.

10 2. On December 21, 2022, the above action was removed to the United States District  
11 Court, Northern District of California, Case No. 4:22-09058.

12 3. On August 29, 2024, Plaintiffs and Defendant reached an agreement of all claims in  
13 this action.

14 4. The terms of settlement are not yet perfected, but Plaintiffs and Defendant agree that  
15 this matter should not be litigated due to the agreed-upon resolution.

16 Based on the foregoing facts, Plaintiffs and Defendant stipulate and agree to the  
17 following:

18 This Court should conditionally dismiss this Action in its entirety against CLARK  
19 RELIANCE CORPORATION, INDIVIDUALLY AND AS SUCCESSOR-IN-INTEREST TO  
20 JERGUSON GAGE AND VALVE COMPANY, only, with prejudice. As the terms of  
21 settlement are not yet perfected, this Court will retain jurisdiction over the matter for sixty (60)  
22 days.

23 DATED: September 3, 2024

Maune Raichle Hartley French & Mudd LLC

24 By: 

25 Rabiah N. Oral  
26 Attorney for Plaintiffs  
27

1 DATED: September 3, 2024

TUCKER ELLIS LLP

2 By: 

Nicole E. Gage

3 Attorneys for Clark Reliance Corporation,  
4 Individually and as Successor-In-Interest to  
5 Jerguson Gage and Valve Company

6  
7 **LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER  
8 PAPERS**

9 In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified  
10 above, and on whose behalf the filing is submitted, concur in the filing's content and have  
11 authorized the filing.

12 DATED: September 3, 2024

13 By: 

14 Rabiah N. Oral, Esq.  
15 Attorney for Plaintiffs  
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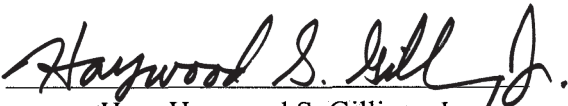
**ORDER**

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that CLARK RELIANCE CORPORATION, INDIVIDUALLY AND AS SUCCESSOR-IN-INTEREST TO JERGUSON GAGE AND VALVE COMPANY, only, is conditionally dismissed with prejudice from this Action in its entirety. Perfection of the terms of the settlement is to be completed within 60 days of this signed Order. The Court shall retain jurisdiction for 60 days from the date of this signed Order.

IT IS SO ORDERED.

DATED: 9/4/2024

  
Hon. Haywood S. Gilliam, Jr.  
UNITED STATES DISTRICT COURT JUDGE